

Lambda Letters Project

Lawrence Library, Archives
and Cultural Exchange
Sacramento, CA

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Domestic Partner Registration Drive Announced

by Boyce Hinman, Administrator

Assemblymember Carol Migden (D-San Francisco) recently announced a drive to register 50,000 domestic partnerships in California by the end of the year. We have quite a long way to go to reach that goal. According to the Secretary of State's office, only 1,945 couples had registered by February 29th. Migden says it will be difficult to pass more legislation granting rights to domestic partners if few same-sex couples take advantage of the benefits already provided by law. We might even lose those benefits if we don't use them.

AB 26 (authored by Migden) was passed last year. It allows Californians to register as domestic partners. State employees and some local government employees may also apply for employer-provided health insurance for their domestic partners. According to the benefits office of the California Public Employee's Retirement System (CALPERS), only thirty-five active and five retired government employees have applied for domestic partner health benefits as of

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Politicians: How Trustworthy Are They?

The state legislature is a bizarre place, a place where we can't put entire trust in either our enemies or our friends.

Lambda Letters is the sponsor of a bill (AB 1851) introduced by Assemblymember John Longville (D-San Bernardino). This bill would clarify the procedures to be followed, in certain circumstances, when granting legal recognition to the new sex of post surgical transsexuals.

The bill was heard in the Assembly Health Committee on March 14th. Assemblymember Longville decided to try a low-profile strategy and called no witnesses in support of the bill. No one spoke against the bill, either, and the bill was immediately approved. This all took no more than three or four minutes and *everyone on the committee voted in favor of the bill*. Needless to say, we were all astonished.

Five members of the committee were scored at 27 percent or below by Lambda Letters last year for their voting record on lesbian, gay, bisexual, or transgendered-related legislation.

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Lambda Letters Progress Report

Messages Collected

| | |
|----------------|--------------------------|
| February, 2000 | 2,225 letters & e-mails |
| In all of 2000 | 17,563 letters & e-mails |

Dollars Spent

| | |
|----------------|---------|
| January, 2000 | \$2,170 |
| In all of 2000 | \$3,429 |

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof.

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Opposing Coercive HIV/AIDS Testing

by Boyce Hinman, Administrator

Assemblymember Robert Pacheco (R—City of Industry) has introduced a bill that seems innocent enough. However, his bill, AB 2809, is bad legislation and we urge you to write to the Assembly Health Committee opposing it.

AB 2809 would require that the blood of a mother be tested for HIV during prenatal care or at delivery of the baby. The mother would be permitted to refuse to be tested after the purpose of the testing and the risk of perinatal transmission of HIV to the baby had been explained. The bill does not require counseling about HIV, which is much more complete than explaining. In fact, AB 2809 removes the definition of the minimum standards for HIV counseling currently in California law.

Finally, AB 2809 would require that doctors and laboratories keep records and make them available to the Department of Health Services so they could evaluate the effectiveness of testing and follow-up treatment for the prevention of perinatally transmitted HIV.

So what's wrong with the bill? First of all, it is unnecessary. There were only five cases of perinatally transmitted HIV diagnosed in California in 1999. The huge program proposed by AB 2809 is overkill. Also, in a study of 32,400 pregnant women conducted by Kaiser Permanente Hospitals it was found that 90 percent of women voluntarily agreed to HIV testing after receiving counseling and educational materials.

The bill could result in the criminalization of HIV-positive women who refuse testing or who choose to have children. Also, if a woman is being tested at the time of delivery, it is likely she will be surrounded by family and medical staff at the time of delivery. Giving her the test results in this setting could breach her confidentiality. It also could lead to abandonment by, or domestic abuse from, her spouse and family. All of this could dissuade mothers from seeking prenatal care. This would be bad for her and her child.

A long established principle in AIDS care is that thorough counseling should accompany any testing for HIV. It is unlikely that much real counseling could

Protections for Parents and Children Proposed

by Christopher Calhoun

A bill that will help LGBT families in the wake of the Knight Initiative's landslide win in the last election? Has Carol Migden's famous political gut gone wrong at last?

Hardly. Migden is no wild-eyed dreamer.

Poll after poll, after all, has shown that solid majorities of Californians support some form of legal recognition for LGBT families. A Field Poll conducted in 1997 showed that 57 percent of Californians endorsed a fairly comprehensive list of family protections for LGBT people. Research conducted before the Knight campaign got underway showed similar levels of support for the concept of legal safeguards for LGBT families.

Any research done following the election will probably find the same thing. So what gives?

Californians are not connecting the real family issues with the larger symbolic and rhetorical framework of marriage equality. That doesn't mean we should give up on the real issues. It means that's where we need to—and where we can—connect.

Migden's amendment to the Uniform Parentage Act, AB 2421, is a perfect example of the kind of legislation we need now. It provides that a parent-child relationship can be established between a child and the adults who consented to, and initiated, a medical procedure to bring the child into the world, and who hold themselves out as the child's parents. In other words, when a gay or lesbian couple brings a child into the world together, both partners will be considered parents. Simple, obvious, and hugely important.

This one revision in state law will give thousands of families direct legal relationships that many of them

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occur while the mother is in labor. Many mothers also would agree to anything the doctor asks while she is going through labor pains. She just wants to get it over with. Under those circumstances her right to refuse testing would be severely compromised.

All in all, this is a bad bill and we urge you to write to the Assembly Health Committee in opposition to it.

Support Good Science in Medical Research

by *Adrienne Lauby*

Historically, more than ninety percent of all subjects of medical research in this country have been married, middle-class, white males. This tradition has been widely challenged by women, ethnic groups, and conscientious researchers because, they point out, such practices produce unscientific and dangerous conclusions.

We have known for more than forty years that persons of various ethnic backgrounds respond differently to some medications, that cultural beliefs affect the adoption of prevention strategies, and that some treatments that are effective for men are not effective for women.

The same drug—even common drugs like antihistamines and antibiotics—can produce very different reactions and side-effects among men, women, and various ethnic groups. Yet due to research bias doctors and pharmacists have little useful information on which to vary their choice of drugs and dosages.

The problems have become so well known that in 1994 the National Institutes of Health issued a set of guidelines on the inclusion of women and minorities as subjects in clinical research. AB 2038 was authored by Assemblymember Elaine Alquist (D-Santa Clara) to require the California Department of Health Services (which administers various public health programs) also to include women and minorities in research.

Inclusion of women—especially low-income and ethnic women—has been an issue in Western medicine since men realized they could make money as doctors and midwives were burned at the stake as witches. Recent admissions data for medical schools show improvement. Some schools have a 30 to 50 percent female student body, yet fewer than five percent of these students are from ethnic groups other than white.

AB 2038 does not address the entire scope of this problem but it does cover one further issue. Research is generally funded so as to recruit only those who want to participate and can afford to do so. Attracting diverse people necessitates that money be allocated for effective recruitment strategies; the support of community organizations and health care facilities; and to cover

Advancing from Community Colleges

by *Marty Martinez*

Community colleges are often the way many people of color begin their post-high school education. Community colleges are less expensive than other colleges and are often the only alternative for adults who wish to increase their skills. In addition, the end of Affirmative Action, due to Proposition 209 and related initiatives, has left community colleges as the only avenue available to many people of color.

SB 1898 by Hilda Solis (D-El Monte) will make it easier for students in community college to advance to a four-year institution. It is likely that people of color attending community colleges will benefit substantially from the reforms this bill will institute.

The bill would develop a program called "Transfer: Making It Happen." The bill would require each community college to identify which of their students plan to move on to a four-year institution of higher learning after graduation, and to identify these students as early as their first semester in community college. The program would then provide those students with additional academic preparation and information on financial aid. The community colleges would do this with the help of the state through the office of the Student Opportunity and Access Program. This program is administered by the Student Aid Commission, which under existing law is required to apportion funds for the support of programs designed to increase the accessibility of postsecondary educational opportunities to low-income and ethnic minority students.

The bill is currently before the education committee of the Senate. Please sign and mail the enclosed letter of support for this bill to the committee chair, Senator Dede Alpert.

costs often incurred by participants, including examinations and tests, transportation, and child care. AB 2038 requires that some outreach program be used.

Women are five times more likely than men to suffer from autoimmune hepatitis. We don't know why. With the help of laws such as AB 2038, we may someday know.

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April Legislative Update

The following is the list of important state bills that we are aware of at this time. We acknowledge with gratitude that some of the information in the following list was provided by Eric Astacaan of the California Alliance for Pride and Equality (CAPE) and Peter Mackler of the office of Senator John Burton.

All new bills for this year had to be introduced no later than February 25th. Any additional bills will have to wait until next year before they can be introduced.

HIV/AIDS Issues

AB 16 (Mike Honda, D—San Jose)

Purpose: Under current law the state and counties split the costs of providing publicly funded in-home supportive services for aged blind and disabled persons.

However, if the counties or the agencies they contract with to provide the services grant a pay raise to the workers providing the care, the counties must foot the whole cost of the raise. This bill changes the law to say that even these pay raises will be funded equally by the state and the counties. Note: The budget just passed allows the state to pay 50 cents of any pay raise. The author is still pushing this bill to get the state to pay 50 percent of any pay raise.

Status: Passed by the Assembly. Is a two-year bill in the Senate Appropriations Committee suspense file. Probably will not be voted on till May.

LLP Position: Support.

AB 142 (Kevin Shelley, D—San Francisco)

Purpose: To require that every health care service plan provide medical care in accordance with accepted medical practices and provide emergency health care services; also to ensure confidentiality of the medical

information of an enrollee. Plans must provide access to a wide variety of primary health care providers and specialty health care providers to ensure that the enrollee is able to choose a qualified doctor or other health care provider.

Status: Approved by the Assembly. Is a two-year bill in the Senate suspense file. Probably will not be voted on by the committee till May.

LLP Position: Support.

AB 499 (Dion Aroner, D—Berkeley)

Purpose: To require the state Department of Health Services to establish a pilot program to test the effectiveness of providing an assisted living benefit to low-income beneficiaries, including those with AIDS, under the Medi-Cal program.

Status: Approved by the Assembly and sent to the Senate. Assigned to the Senate Health and Human Services Committee. No hearing date set yet.

LLP Position: Support

AB 591 (Howard Wayne, D—San Diego)

Purpose: To require health care service plans and certain disability insurers to cover routine patient costs related to treatment in a clinical trial of experimental medications.

Status: Is in the Senate Appropriations Committee. No action expected until June.

LLP Position: Support.

AB 1722 (Martin Gallegos, D—City of Industry)

Purpose: Previously passed legislation says that health care service plans can't stop covering a medication for a patient while the patent is under treatment for a particular ailment for which that drug has been prescribed. This legislation adds that the health care provider cannot increase the co-payment or other deductible for the medication during the course of treatment of a disease for which the medication has been prescribed.

Status: Assigned to the Assembly Health Committee. Will be heard on April 4th.

LLP Position: Support.

AB 1730 (Nell Soto, D—Ontario)

Purpose: To require every health care service plan to approve, modify, or deny—within 24 hours—a request for referral to a specialist for a patient facing an imminent and serious threat to his or her health.



VICKI PFINGST

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April Legislative Update

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• **Status:** Author has moved to the Senate. This bill has been dropped.

LLP Position: Support.

AB 1745 (Nell Soto, D-Ontario)

Purpose: To require the completion of a one semester course in health education as a requirement for high school graduation.

Status: Author has moved to the Senate. This bill has been dropped. It has been reintroduced in the Senate as SB 2189.

LLP Position: Support.

AB 1798 (Audie Bock, I-Oakland)

Purpose: To collaborate with Alameda County to implement a pilot program to fund clinics that provide screening and harm-reduction services for HIV also to provide screening and harm-reduction services for hepatitis.

Status: Assigned to the Assembly Health Committee. No date for hearing set yet.

LLP Position: Support

AB 1955 (Carol Migden, D-San Francisco)

Purpose: To ask the federal government to provide funds for the design, establishment, and operation of a state program to offer medical assistance to workers with potentially severe disabilities.

Status: Assigned to Assembly Health Committee. No hearing date set yet.

LLP Position: Tentative support pending additional information.

AB 1981 (Gil Cedillo, D-Los Angeles)

Purpose: To specify that Medi-Cal utilization controls shall not prohibit Medi-Cal service providers from providing additional services through a prior authorization process that requires the demonstration of medical justification.

Status: Will be heard in Assembly Health Committee on April 4th.

LLP Position: Support.

AB 2037 (Ellen Corbett, D-San Leandro)

Purpose: Existing law requires the State Department of Social Services to conduct a demonstration project to provide certain services to children, under the age of 37

months, who are alcohol or drug exposed or who are HIV-positive. This bill increases the age to 72 months.

Status: Assigned to Assembly Human Services Committee. No hearing date set yet.

LLP Position: Support.

AB 2108 (Carole Migden, D-San Francisco)

Purpose: To require that all terminally ill inmates incarcerated within the medical facility or any other state prison facility operated by, or pursuant to contract with, the Department of Corrections receive a standard of care similar to the treatment given to inmates at the state prison facility in Vacaville.

Status: Assigned to the Assembly Committee on Public Safety. Will be heard on April 4th

LLP Position: Support.

AB 2787 (Bill Leonard, R-Rancho Cucamonga)

Purpose: To authorize construction of a correctional facility designed to incarcerate inmates with special health needs due to advanced age or infection with HIV separate from the general prison population and which would address these inmate's needs in a manner consistent with department policy.

Status: Will be heard in Assembly Public Safety Committee on April 4th.

LLP Position: Watch while we give the bill further study.

AB 2809 (Robert Pacheco, R-City of Industry)

Purpose: Existing law requires that a blood specimen

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April Legislative Update

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be obtained from a pregnant woman before or at the time of delivery. The blood must be tested for blood type and the presence of hepatitis B. This bill would require the blood also be tested for the presence of HIV. A woman could refuse HIV testing if she has been determined to be chronically infected with HIV or if a medical professional explains the purpose of testing and the currently approved treatments.

Status: Will be heard in Assembly Health Committee, probably on April 18th or 25th.

LLP Position: Oppose.

AJR 47 (Gil Cedillo, D—Los Angeles)

Purpose: To petition the President and Congress to reauthorize the Ryan White CARE Act quickly to ensure resources are available to meet the expanding health care and social service needs of people living with HIV disease.

Status: Will be heard in Assembly Health Committee, probably on April 4th or 11th.

LLP Position: Support.

SB 848 (John Vasconcellos, D—San Jose)

Purpose: To require the state Department of Health Services to establish a voluntary program for the issuance of identification cards to qualified patients and would establish procedures under which those patients may use marijuana for medical purposes.

Status: Passed the Senate. Is a two-year bill on the floor of the Assembly. No action on the bill is expected soon.

LLP Position: Support.

SB 1258 (Richard Polanco, D—Los Angeles)

Purpose: To require California to solicit approval from the federal government for California to provide Medi-

Cal coverage to individuals who are HIV-positive, but who do not have AIDS. Current federal regulations limit the provision of Medi-Cal to people who have AIDS or who are otherwise disabled.

Status: Passed by the Senate. Is a two-year bill in the Assembly Appropriations Committee. The author is negotiating with others to find changes in the bill needed to get enough votes to pass the bill. No votes on the bill expected until early June.

LLP Position: Support.

SB 2089 (Maurice Johannessen, R—Redding)

Purpose: To require that a physician recommending the use of marijuana to a patient keep very detailed records on the subject as specified.

Status: Will be heard in Senate Health and Human Services Committee on April 5th.

LLP Position: Watch. Its real purpose may be to discourage physicians from recommending the use of marijuana.

SB 2189 (Nell Soto, D—Ontario)

Purpose: To require the completion of a one semester course in health education as a requirement for high school graduation.

Status: Has been referred to the Senate Health and Human Services Committee. No hearing date set yet.

LLP Position: Support.

Lesbian/Gay/Bisexual/Transgendered Issues

AB 1712 (Jim Cunneen, R—Campbell)

Purpose: To provide the death penalty, or life in prison without possibility of parole, for intentionally killing a victim because of his or her actual or perceived gender, disability, or sexual orientation.

Status: Will be heard in the Assembly Public Safety Committee. Will be heard on April 11th.

LLP Position: Oppose unless death penalty is removed from the bill.

AB 1785 (Antonio Villaraigosa, D—Los Angeles)

Purpose: To require school districts to report incidents of hate crimes in their schools and to establish procedures for doing so.

Status: Approved by the Assembly Public Safety Committee. Sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Support.

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AB 1809 (George Runner, R-Lancaster)

Purpose: To establish a statewide hate crimes registry and to require registry of those convicted of serious or violent felonies resulting in death or great bodily injury, certain sex crimes, hate-based crimes (including sexual orientation-based hate crimes), or a property crime against a religious institution resulting in more than \$5,000 in damage.

Status: Passed by the Assembly Public Safety Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

LLP Position: Watch while we get further details. The author has not been a friend. Is a registry the best deterrent to hate crimes?

AB 1851 (John Longville, D-San Bernardino)

Purpose: To provide directions to California courts as to how to process petitions from post-operative transsexuals for recognition of their new sex and new, gender-appropriate name.

Status: Passed by Assembly Health Committee. Sent to Assembly Appropriations Committee. Will be heard on April 5th.

LLP Position: Support. Lambda Letters is a sponsor of the bill.

AB 1906 (John Longville, D-San Bernardino)

Purpose: To remove funding restrictions in the Education Code's Hate Violence Protection Act.

Status: Assigned to the Assembly Education Committee. No hearing date set yet.

LLP Position: Support

AB 1931 (Jack Scott, D-Pasadena)

Purpose: To require school districts to report annually on the number of suspensions and recommendations for expulsions resulting from school hate crimes. To appropriate

\$150,000 for training to assist school district staff in identification of hate crimes. To provide \$200,000 for student and teacher training focused on overcoming prejudice, countering hatred, and fostering ethnic sensitivity.

Status: Assigned to Assembly Education Committee. Will be heard on March 29th.

LLP Position: Support.

AB 1990 (Gloria Romero, D-Monterey Park)

Purpose: To grant domestic partners the right to make medical decisions for their partners if the partner is in a health facility and incapable of giving informed consent to recommended treatment.

Status: Will be heard in the Assembly Judiciary Committee on March 28th.

LLP Position: Support.

AB 2000 (Antonio Villaraigosa, D-Los Angeles)

Purpose: To establish the California Commission on Human Relations in the Department of Fair Employment and Housing (DFEH) to make policy recommendations to the Governor and the Legislature regarding the collection, dissemination of information, standards and guidelines for local human relations commissions. To appropriate \$150,000 to establish the commission.

Status: Assigned to Assembly Judiciary Committee will be heard on March 28th.

LLP Position: Support.

AB 2040 (Kevin Shelley, D-San Francisco)

Purpose: To allow the courts to provide legal parental status to persons who use assistive reproductive technology to bear a child. The bill appears to give parental rights to the non-biological parent in same-sex couples who decide to have children.

Status: Introduced in Assembly. Not assigned to a committee yet.

LLP Position: Tentative support pending additional information.

AB 2047 (Darrell Steinberg, D-Sacramento)

Purpose: To provide inheritance rights through intestate succession for domestic partners when one of the partners dies without a will. Also allows domestic partners in such cases to be appointed as administrator of the estate of the deceased partner.

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April Legislative Update

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Status: Will be heard in Assembly Judiciary Committee on March 28th.

LLP Position: Support.

AB 2142 (Fred Keeley, D-Santa Cruz)

Purpose: To amend the California Fair Employment and Housing Act to prohibit employment and housing discrimination based on actual or perceived gender.

Status: Will be heard in Assembly Labor and Employment Committee on April 11th.

LLP Position: Support. Lambda Letters is a co-sponsor of the bill.

AB 2211 (Sheila Kuehl, D-Encino)

Purpose: To allow domestic partners the right to decide whether to have an autopsy performed, and make funeral arrangements after the death of a domestic partner; the right to sue for wrongful death and negligent infliction of emotional distress of a partner; and to allow reciprocity of registry from other jurisdictions.

Status: Will be assigned to the Assembly Judiciary Committee. Will be heard on March 28th.

LLP Position: Support

AB 2418 (Carole Migden, D-San Francisco)

Purpose: To prohibit an attorney from excusing a person from a jury simply because the person is a member of a particular racial, religious, ethnic, sexual orientation, or gender group, or on similar grounds.

Status: Introduced. Probably will go to Assembly Judiciary Committee.

LLP Position: Support.

AB 2421 (Carole Migden, D-San Francisco)

Purpose: To authorize a parent-child relationship between a child and its non-biological parent when the child was conceived through artificial means and when the two parents (usually two women) decide to have a child together.

Status: Assigned to Assembly Judiciary Committee. No hearing date set yet.

LLP Position: Support.

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April Legislative Update

Continued from page 10

AB 2609 (Wally Knox, D—Los Angeles)

Purpose: To add social tolerance to the subjects that must be addressed in instruction in social sciences in grades 1 through 6.

Status: Introduced. Assigned to Assembly Education Committee. No hearing date set yet.

LLP Position: Support.

ACA 21 (George House, R—Modesto)

Purpose: To provide that every parent has a fundamental right to control the care and custody of his or her minor children and would prohibit state action that may abridge or hinder this fundamental right, absent a showing that the state's action is the least restrictive means of furthering a compelling state interest.

Status: Assigned to Assembly Judiciary Committee. Will be heard on March 28th.

LLP Position: Oppose. This might be used to prevent the courts from protecting queer youth from their parents.

SB 118 (Tom Hayden, D—Los Angeles)

Purpose: To require employers to grant family and medical leave to employees who need to care for their domestic partners.

Status: Passed by the Senate and the Assembly. Returned to the Senate for concurrence with the changes made in the Assembly.

LLP Position: Support.

SB 1173 (John Vasconcellos D—San Jose)

Purpose: To allow courts to grant reasonable child visitation rights to de facto parents, including domestic partners in cases where the parents of a child have separated.

Status: Assigned to Assembly Judiciary Committee.

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No hearing date set yet.

LLP Position: Watch. There is some concern this might be used against biological mothers.

SB 1329 (Betty Karnette, D—Long Beach)

Purpose: To require the State Department of Motor Vehicles to establish a special-interest license program and to authorize the program for organizations that do not discriminate on the basis of race, gender, nationality, religion, political party affiliation, or sexual orientation; that submit a financial plan describing how the funds generated by the sale of the plates will be used; and that submit a design of the license plate.

Status: Passed by Senate Transportation Committee and sent to Senate Appropriations Committee. No hearing date set yet.

LLP Position: Support.

SB 1366 (Dick Monteith, R—Modesto)

Purpose: To direct the issuance of special license plates commemorating the Boy Scouts and directing that proceeds from the sale of these license plates go to the Boy Scouts.

Status: Passed by Senate Transportation Committee and sent to Senate Appropriations Committee. Tentatively set for hearing on April 10th.

LLP Position: Oppose. This organization discriminates on the basis of sexual orientation.

SB 1489 (Tom Hayden, D—Los Angeles)

Purpose: To require that all local law enforcement agencies provide complete and accurate reports to the Attorney General of hate crimes in their jurisdictions whether or not funds are available.

Status: Will be heard in the Senate Public Safety Committee on April 4th.

LLP Position: Support.

SB 1569 (Tom Hayden, D—Los Angeles)

Purpose: To declare legislative intent to expand the definition of hate crimes to include those persons who are victimized based upon their association with other people of a specific race, religion, or sexual orientation.

Status: Introduced. Not assigned to a committee yet. No hearing date set yet.

LLP Position: Support.

SB 1804 (Ray Haynes, R—Riverside)

Purpose: To exempt in the prohibition of unlawful

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April Legislative Update

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employment practices, under the Fair Employment and Housing Act, the transfer of a student out of a classroom by a school district or a county office of education at the request of a student's parent or guardian.

Status: Introduced. Assigned to the Senate Judiciary Committee. No hearing date set yet.

LLP Position: Oppose. Would allow parents to take their children out of the classes of teachers because they object to the teacher's sexual orientation or gender identity.

SB 2025 (John Burton, D-San Francisco)

Purpose: To incorporate all the provisions of the Fair Employment and Housing Act (FEHA) into the State Civil Service Act. Thus provides the protections of FEHA (including protections from sexual orientation-based discrimination) to state employees.

Status: Assigned to the Senate PERS Committee. No hearing date set yet.

LLP Position: Support.

People of Color Issues

AB 52 (Gil Cedillo, D-Los Angeles)

Purpose: The state runs several health programs that are partially supported with federal funds. Federal law says that neither federal nor state funds can be used to provide these programs to undocumented aliens.

Federal law also says that state funding may be used for this purpose if states pass specific legislation to provide these services to undocumented aliens with state funds. This law would do that.

Status: Passed the Assembly and all necessary Senate committees. Awaiting a vote on the Senate floor.

Author negotiating with the governor to resolve differences.

LLP Position: Support.

SB 1326 (Tom Hayden, D-Los Angeles)

Purpose: To require the State Department of Education to develop a human relations school curriculum addressing racism, sexism, homophobia, religious intolerance, and other forms of bigotry. Requires that school districts include the curriculum in their required course of study.

Status: Has been assigned to the Senate Education Committee. Removed from the committee's calendar by the author because of scheduling problems.

Will be rescheduled.

LLP Position: Support.

SB 1364 (Patrick Johnston, D-Stockton)

Purpose: Current law prohibits health care professionals and organizations from releasing the results of genetic testing to a third party without the prior written consent of the person tested. This bill stipulates that the prohibition also applies to genetic traits in which the person is asymptomatic for the disease which might result from a genetic trait.

Status: Passed by all Senate committees. Is awaiting final vote on the Senate floor.

LLP Position: Support

SB 1389 (Kevin Murray, D-Los Angeles)

Purpose: To require state and local police forces to gather and report data about traffic stops by police officers including the race or ethnicity of the persons stopped.

Status: Assigned to the Senate Public Safety Committee. Will be heard on March 28th.

LLP Position: Support.

SB 1734 (Kevin Murray, D-Los Angeles)

Purpose: To declare legislative intent to enact laws to deter hate-motivated behavior, train teachers, school administrators, and law enforcement personnel regarding hate groups and hate-motivated behavior, improve tolerance and diversity curriculum for students in the lower elementary grades, and encourage community partnerships to minimize the influence of hate groups.

Status: Introduced. Not assigned to a committee yet. No hearing date set yet.

LLP Position: Support.

Women's Issues

AB 40 (Howard Wayne, D-San Diego)

Purpose: To establish the Breast Cancer Treatment Program for purposes of providing breast cancer treatment services to uninsured and underinsured women with incomes at or below 200 percent of the federal poverty level. Also to require the State Department of Health Services to administer the program only when the Legislature has appropriated funds for the program.

Status: Passed by the Assembly. Is in the suspense file of the Senate Appropriations Committee. Probably will

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April Legislative Update

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not be voted on in that committee until late spring or early summer.

LLP Position: Support.

AB 398 (Carole Migden, D—San Francisco)

Purpose: To authorize the sale of bonds to provide funds for government backed affordable housing.

Status: Is in the Senate Housing and Community Development Committee. Assemblymember Migden is negotiating changes needed to get it approved by that committee. No hearing date set yet.

LLP Position: Support.

AB 525 (Sheila Kuehl, D—Encino)

Purpose: To require hospitals and disability plans which provide health care services to include information in their promotional materials as to what family planning and reproductive services they provide. This will allow women to make informed decisions when determining which health plan to select.

Status: Passed by the Assembly and assigned to the Senate Insurance Committee. Pulled from that committee's calendar while the author negotiates changes needed to get it passed by the committee. May be heard on April 5th. Must go to the Senate Health and Human Services Committee if approved by the Insurance Committee.

LLP Position: Support.

AB 1713 (Nell Soto, D—Ontario)

Purpose: To provide enhanced penalties for violent felonies that are committed in the presence of or witnessed by a child.

Status: The author has moved to the Senate. This bill is being dropped and replaced by SB 2183.

LLP Position: Support.

AB 1814 (Ted Lempert, D—Palo Alto)

Purpose: To provide that mothers who are breast feeding their children are exempt from jury duty until they stop breast feeding their children.

Status: Introduced. Assigned to the Assembly Judiciary Committee. Will be heard on March 28th.

LLP Position: Support.

AB 1856 (Sheila Kuehl, D—Encino)

Purpose: To make non-owner, non-supervisory

employees liable for harassment of coworkers on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex, age, or sexual orientation.

Introduced to reverse a State Supreme Court decision that said such harassment by owners or supervisors is prohibited by law, but not harassment by coworkers.

Status: Assigned to the Assembly Judiciary Committee. Will be heard on April 11th.

LLP Position: Support

AB 2038 (Elaine White Alquist, D—Santa Clara)

Purpose: To require a grantee in conducting or supporting a project of clinical research, to ensure that women of all ages and members of minority groups are included as subjects in the clinical research projects.

Status: Assigned to the Assembly Health Committee. Will be heard on April 4th.

LLP Position: Support.

SB 193 (Richard Polanco, D—Los Angeles)

Purpose: Existing law provides for the Breast Cancer Research Account in the Breast Cancer Fund. Ninety percent of the moneys in the Breast Cancer Research Account is allocated to the Breast Cancer Research Program created at the University of California. This bill would require the State Department of Health Services to offer for sale breast cancer license plates to be sold at a price determined by the department, with the proceeds to be deposited into the Breast Cancer Research Account in the Breast Cancer Fund.

Status: Was passed by the Senate and sent to the Assembly. Is in the Assembly Appropriations Committee. Probably will not be heard until late spring.

LLP Position: Support.

SB 1154 (Jackie Speier, D—Daly City)

Purpose: Would enact the California Breast and Gynecological Cancer Treatment Program, administered by the Managed Risk Medical Insurance Board, to provide treatment services to low-income, underinsured women.

Status: Passed the Senate and its Assembly policy committee. Senator Speier is negotiating with the governor's office to seek his support. There may be a vote on the bill in late April or May in the Assembly Appropriations Committee.

LLP Position: Support

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SB 1432 (Deirdre Alpert, D–San Diego)

Purpose: To allow employers to investigate alleged acts of unlawful harassment of one employee by another. The investigation may include consultation with a licensed private investigator or with persons qualified in human resource management.

Status: Introduced. Has not been assigned to a committee yet. No hearing date set yet.

LLP Position: Support.

SB 2183 (Nell Soto, D–Ontario)

Purpose: To provide enhanced penalties for violent felonies that are committed in the presence of or witnessed by a child.

Status: Introduced. Not assigned to a committee yet.

LLP Position: Support.

LGBT Issue

Continued from page 3

may not otherwise take the time, or spare the expense, to create, because that requires going through cumbersome and expensive second-parent adoptions. Poor and young families in particular will be affected.

An estimated 6–10 million lesbian and gay people are parents, and more and more of them are becoming parents within the context of a gay or lesbian relationship—utilizing reproductive strategies such as donor insemination or surrogacy. This is the lesbian and gay baby boom we've heard so much about, and these are the families that Migden's bill will help protect. The Sperm Bank of California, a semen bank dedicated to women's reproductive freedom, has tracked the families it has helped create, and in conjunction with researcher Dr. Charlotte Patterson, has found them to be as healthy and sound as the average family.

Our community never waited for a law to tell us we were parents to our children—but when a law comes along that says just that, it's one we'd better support.

Politicians: How Trustworthy?

Continued from page 1

Those members of the committee are the following Assemblymembers:

Sam Aanestad, R–Grass Valley
Patricia Bates, R–Laguna Niguel
Dave Cox, R–Sacramento
George Runner, R–Lancaster
Charlene Zettel, R–Poway

Yet they all voted for the bill. The bill was also supported by:

Ellen Corbett, D–Hayward
Marco Firebaugh, D–Huntington Park
Martin Gallegos, D–City of Industry
Sheila Kuehl, D–Encino
Helen Thomson, D–Vacaville
Howard Wayne, D–San Diego
Herb Wesson, D–Los Angeles
Scott Wildman, D–Glendale

On the other hand, on that same day, the Senate Transportation Committee voted on a bill (SB 1366 by Dick Monteith, R–Modesto) to issue Boy Scout commemorative license plates and to donate proceeds from those plates to the Boy Scouts. The Scouts loudly proclaim that they discriminate on the basis of sexual orientation.

SB 1366 was approved by the Senate Transportation Committee with just one dissenting vote by Senator Liz Figueroa (D–Fremont). Senators Betty Karnette (D–Long Beach), Tom Hayden (D–Los Angeles), Kevin Murray (D–Los Angeles), and Jackie Speier (D–Daly City) didn't even vote on the bill. Senator Speier was given a score of 93 percent for her votes on GLBT-related bills last year, while all the rest got scores of 100 percent on those bills.

In a weird turnabout, the same committee voted that same day in favor of SB 1329, authored by Karnette. This bill establishes a policy for the issuance of commemorative license plates and the donation of proceeds from the sale of those plates. SB 1366 says no plates may be issued on behalf of organizations that discriminate on the basis of race, gender, nationality, religion, political party affiliation, or sexual orientation. Go figure. Here each senator who failed to vote on SB 1366 voted for SB 1329.

What's the lesson from all this? *Take no elected official for granted.*

Domestic Partner Registration Drive

Continued from page 1

January 31st, the last date for which figures are available. To get the benefit, the employee's union contract must offer the coverage. Also, for local government employees to qualify, their employers must be part of the CALPERS system.

Lambda Letters recently learned an interesting fact about domestic partner health benefits. Under AB 26, state and some local government employees may add their domestic partners to the employer provided health plan. But the coverage for the partner stops if the retiree dies first. However, the same is not true if the retiree had been a University of California employee. In that case, coverage of the partner can continue if two conditions have been met:

- ♦ The retiree must have chosen a retirement option which allows the partner to continue receiving retirement checks from UC if the retiree dies first.
- ♦ The partner must have been enrolled in the health plan prior to the retiree's death.

Domestic partner health benefits for UC retirees was provided not by AB 26, but by a vote of the UC Regents a few years ago.

Lambda Letters has been urging legislators to introduce legislation to eliminate the above difference in benefits, but so far we have not succeeded.

There is an old saying, "Use it or lose it." We fought hard to get domestic partner registration and health benefits. It is likely that conservatives will pressure the state legislature to end these benefits. If more people don't take advantage of them, legislators may well say that they are not worth fighting for. We therefore encourage all same-sex couples to register as domestic partners. We also encourage state and local government employees with domestic partners to consider applying for the health benefits.

Anyone wishing to register their domestic partnership must complete a Declaration of Domestic Partnership form and have it notarized. The completed form must be sent, along with \$10, to the Secretary of State's office at the address shown on the form. That office will process the form and return it to the persons who completed it.

State and local government employees wishing to apply for domestic partner health benefits must complete the same form. Once they get it back from the Secretary of State's office, they should submit it and a

HIV/AIDS Analyst Needed

Do you like to write? Do you care about HIV/AIDS-related issues? Do you feel strongly the need to support legislation helpful to those living with or affected by HIV/AIDS? Are you angry about the attempts by some legislators to criminalize or discriminate against those living with this disease?

If the answer to these questions is yes, we urge you to consider volunteering as our AIDS analyst for Lambda Letters. As a volunteer, you would be asked to create one article and one sample letter on an HIV/AIDS-related piece of legislation each month. It would probably take you three or four hours a month to do so.

Don't know how to find the bills you should write on? If have access to the Internet it's easy to find the bills. We can show you how. To give you a head start, we keep a comprehensive list of HIV/AIDS legislation on our Web page. You can take a look at that list by going to www.lambdaletters.org and clicking on the Legislative Update button.

Don't know what you would say in an article and letter on behalf of an AIDS bill? We can help you figure that out too. Often the staff of legislators are delighted to give you a list of talking points on their bills. Also, the state legislature provides bill analyses that offer many useful talking points on bills being considered by the legislature. To see a sample of a bill analysis, go to www.lambdaletters.org, click on the Legislative Update button, click on a bill number, scroll down to the word "Analyses," and then click on one of the buttons found there.

You can have a major impact on the bills that may mean life or death to people living with or affected by AIDS. We hope you will seriously consider volunteering as our AIDS analyst. To do so, call us at (916) 965-6851 or send us a message at LambdaLP@aol.com.

Statement of Financial Liability form to their personnel office. To help people through the process, we have provided copies of each document at the end of this newsletter.

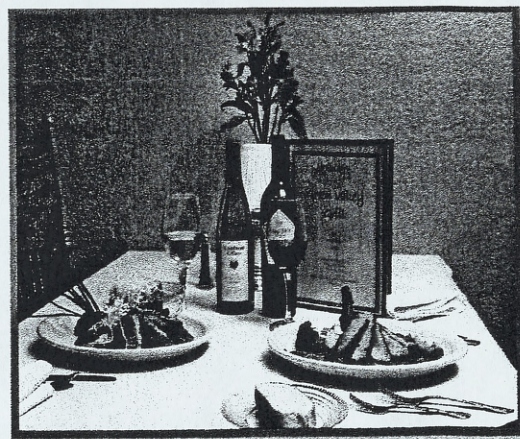
Again, to avoid losing these benefits, we encourage as many people as possible to use them.

Holsworth's Riverwalk Cafe'

at VERONA VILLAGE RESORT

We cordially invite you to **HOLSWORTH'S RIVERWALK CAFE'** at VERONA VILLAGE RIVER RESORT, 6985 Garden Highway (Behind Sacramento International Airport). We are very fortunate to have **CHEF BENN PASQUINI**, the "YUBA CITY ICON" and veteran restaurateur. Chef Pasquini will blend California Cuisine and his famous Italian menus into a food lover's delight.

We are open Friday, Saturday for the winter months, with lunch served 11am - 2:30pm and dinner 5:00pm - 10pm. Sundays we feature **CHAMPAGNE BRUNCH** starting at 11am and dinner from 4:30 - 8:30pm.



Our **Daily Lunch Specials** feature:
10-oz GROUND SIRLOIN GORGONZOLA BURGER w/ French Fries
 or **Spaghetti**.

Friday Nights try our new
WESTERN AUSTRALIAN LOBSTER TAIL DINNER.

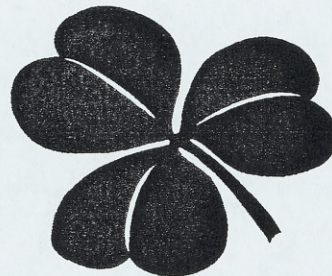
We are accepting reservations for Holiday parties, weddings, and events. Superlative dining and a warm, friendly atmosphere, we invite you to let us attend to every detail.

WE HOPE TO SEE ALL OF YOU SOON ...

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Pride Festival Volunteers Needed

Can you spare a few hours to help at the Lambda Letters booth at the following Pride Festivals?

Volunteers will tell people about Lambda Letters and encourage them to become members.

Volunteers will get free entry into the festival.

If you can help, Please call the contact Person indicated below

Long Beach Pride

May 20-21, 2000

Contact Lori

(310) 390-5095

Christopher Street West

(Los Angeles)

June 10-11, 2000

Contact Lori

(310) 390-5095

San Diego Pride

July 22-23

Contact Jan or Lynn

(619) 275-5343

Fresno Pride

June (Specific date to be determined.), 2000

Contact Ken

(209) 529-3368

Statement of Financial Liability
For
Domestic Partner Health Benefits

I, _____ agree that I may be required to
(Full Name of Subscribing Member)

reimburse the employer, my designated health services plan, and the California Public Employees' Retirement System, for any expenditures made by the employer, my designated health services plan, and the California Public Employees' Retirement System, for medical claims, processing fees, administrative charges, costs, and attorney's fees on behalf of the domestic partner if any of the submitted documentation is found to be incomplete, inaccurate, or fraudulent.

Full Name of Subscriber _____

Signature _____

Full Name of Domestic Partner _____

Signature _____

Full Name of Witness _____

Signature _____



State of California
Bill Jones
Secretary of State

FILE NO: _____

DECLARATION OF DOMESTIC PARTNERSHIP

(Family Code Section 298)

Instructions:

1. Complete and mail to: Secretary of State, P.O. Box 944225,
Sacramento, CA 94244-2250 (916) 653-4984
2. Include filing fee of \$10.00

**We the undersigned, do declare that we meet the requirements of
Section 297 at this time:**

We share a common residence;
We agree to be jointly responsible for each other's basic living expenses incurred during our domestic partnership;
Neither of us is married or a member of another domestic partnership;
We are not related by blood in a way that would prevent us from being married to each other in this state;
We are both at least 18 years of age;
We are both members of the same sex or we are both over the age of 62 and meet the eligibility criteria under Title II of the
Social Security Act as defined in 42 U.S.C. Section 402(a) for old-age insurance benefits or Title XVI of the Social Security
Act as defined in 42 U.S.C Section 1381 for aged individuals;
We are both capable of consenting to the domestic partnership;
Neither of us has previously filed a Declaration of Domestic Partnership with the Secretary of State pursuant to Division 2.5
of the Family Code that has not been terminated under Section 299 of the Family Code.

**The representations herein are true, correct and contain no material omissions of fact to our best
knowledge and belief. Sign and print complete name (if not printed legibly, application will be rejected.)
Signatures of both partners must be notarized.**

| | | | |
|--------------------------|--------|---------|----------|
| Signature | (Last) | (First) | (Middle) |
| Signature | (Last) | (First) | (Middle) |
| Common Residence Address | City | State | Zip Code |
| Mailing Address | City | State | Zip Code |

NOTARIZATION IS REQUIRED

State of California

County of _____

On _____, before me, _____, personally
appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that
by his/her/their signature(s) on the instrument the person(s) executed the instrument.

Signature of Notary Public

[PLACE NOTARY SEAL HERE]